

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
(Alexandria Division)**

**2300 PENNSYLVANIA AVENUE, LLC**

\*

**Plaintiff/Counter-Defendant**

\*

**v.**

\*

**Case No. 1:10cv1321-LOG-IDD**

**HARKINS BUILDERS, INC.**

\*

**Defendant/Counter-Plaintiff.**

\*

\* \* \* \* \*

**NOTICE OF APPEAL**

NOTICE IS HEREBY GIVEN that Harkins Builders, Inc., defendant in the above-captioned case, hereby appeals to the United States Court of Appeals for the Fourth Circuit from: (1) the Order entered June 1, 2011, granting in part plaintiff's Renewed and Second Motion for Partial Summary Judgment, denying Defendant/Counter-Plaintiff's Motion for Partial Summary Judgment, and denying Defendant's Motion in Limine to Exclude Lay Witness Testimony Regarding Estimated Construction Costs; and (2) the Order dated March 2, 2012, entering judgment in favor of the plaintiff.

Respectfully submitted,

/s/ Lucas F. Webster

Lucas F. Webster (VSB No. 66056)

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**Attorneys for Defendant/Counter-Plaintiff**

**Harkins Builders, Inc.**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 15<sup>th</sup> day of March, 2012, a copy of the foregoing Notice of Appeal was served, via the Court's electronic case filing system, upon:

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/s/ Lucas F. Webster  
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